

AMENDED IN ASSEMBLY MAY 28, 2010
AMENDED IN ASSEMBLY MARCH 25, 2010
CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1947

Introduced by Assembly Members Fong and Jones
(Coauthor: Assembly Member Furutani)

February 17, 2010

An act to add Section 387.8 to the Public Utilities Code, relating to solar energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 1947, as amended, Fong. Solar energy.

Existing law requires local publicly owned electric utilities to initiate a public proceeding to adopt, implement, and finance a solar initiative program to further the state goal of installing 3,000 megawatts of photovoltaic solar energy in the state. Existing law requires the program to be consistent with prescribed requirements, including that solar energy systems receiving monetary incentives be intended primarily to offset part or all of the consumer's own electricity demand, and that the solar energy system be located on the same premises of the end-use consumer where the consumer's own electricity demand is located.

This bill would authorize a local publicly owned electric utility to adopt, implement, and finance a solar initiative program exempt from those offset and same-premises program requirements, where residential and business consumers offset part or all of their electricity demand with electricity generated by a solar energy system not located on the premises of the consumer, if the program meets certain requirements.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 387.8 is added to the Public Utilities
2 Code, to read:
3 387.8. Notwithstanding paragraphs (2) and (5) of subdivision
4 (d) of Section 387.5, a local publicly owned electric utility may
5 adopt, implement, and finance a solar initiative program otherwise
6 in accordance with that section, using monetary incentives
7 authorized by subdivision (b) of Section 387.5, to residential and
8 business consumers where consumers offset part or all of their
9 electricity demand with electricity generated by a solar energy
10 system not located on the premises of the consumer, if all of the
11 following requirements are met:
12 (a) The solar energy system meets all of the following
13 conditions:
14 (1) It is located within the service territory of the local publicly
15 owned electric utility.
16 (2) It has a capacity of no more than five megawatts.
17 (3) It is interconnected to the local publicly owned utility's
18 system at the distribution level.
19 (b) The local publicly owned electric utility meets ~~one~~ all of
20 the following conditions:
21 (1) *It provides monetary incentives authorized by Section 387.5*
22 *for not more than the first megawatt of generating capacity of each*
23 *solar energy system.*
24 ~~(1)~~
25 (2) It has contracted to purchase the total electricity produced
26 by the solar energy system or owns the solar energy system.
27 ~~(2)~~
28 (3) It provides no greater incentive per watt for the solar energy
29 system than provided for by systems that participate in the
30 applicable solar initiative program established under Section 387.5.
31 (4) *It has received approval for the solar energy system from*
32 *its governing board at a publicly noticed and held meeting.*
33 (c) The total megawatt capacity of *the combined residential and*
34 *commercial* solar energy systems eligible for a local publicly

1 owned *electric* utility program under this section is both of the
2 following:

3 (1) Not more than the total megawatt capacity of solar energy
4 systems installed in the service area of the local publicly owned
5 electric utility after ~~the effective date of this section~~ *July 1, 2010*,
6 that participate in the applicable solar initiative programs
7 established under Section 387.5.

8 (2) Not more than 20 percent of the proportionate amount for
9 the local publicly owned electric utility of the overall 3,000
10 megawatt state goal set forth in Section 387.5, based on the
11 percentage of the total statewide load served by that entity.